

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GEROME H. GARRY,

No. 6:17-cv-01699-SU

Petitioner,

v.

BYRON TRAPP,

ORDER

Respondent.

HERNANDEZ, District Judge:

Magistrate Judge Sullivan issued a Findings & Recommendation (#10) on April 20, 2018, in which she recommends the Court dismiss Petitioner's Amended Petition for Writ of Habeas Corpus without prejudice. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's

report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Sullivan's Findings & Recommendation [10], and therefore, Petitioner's Amended Petition for Writ of Habeas Corpus [7] is dismissed without prejudice.

IT IS SO ORDERED.

DATED this 7 day of June, 2018.


MARCO A. HERNANDEZ
United States District Judge